

Patent
Attorney's Docket No. 000270-015

Applicant or Patente: Steven L. STICE et al

Application or Patent No.: 09/066,652

Filed or Issued: April 27, 1998

For: CLONED UNGULATE EMBRYOS AND ANIMALS, USE OF CELLS, TISSUES AND ORGANS THEREOF FOR TRANSPLANTATION THERAPIES INCLUDING PARKINSON'S DISEASE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 C.F.R. §§ 1.9(f) AND 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION University of Massachusetts, as represented by its Amherst Campus

ADDRESS OF ORGANIZATION Office of Vice Chancellor for Research at Amherst

Amherst, MA 01002

TYPE OF ORGANIZATION

- University or other institution of higher education
 Tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3))
 Nonprofit scientific or educational under statute of state of The United States of America
(Name of state _____)
(Citation of statute _____)
 Would qualify as tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3)) if located in The United States of America
 Would qualify as nonprofit scientific or educational under statute of The United States of America if located in The United States of America
(Name of state _____)
(Citation of statute _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) for purposes of paying reduced fees under Sections 41(a) and 41(b) of Title 35, United States Code, with regard to the invention entitled CLONING USING DONOR NUCLEI FROM DIFFERENTIATED FETAL AND ADULT CELLS by inventor(s) Steven L. STICE et al described in

- the specification filed herewith
 Application No. 09/066,652, filed April 27, 1998
 Patent No. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the _____ for exploitation with regard to the above identified invention.

The name of organization having rights to the invention is listed below. Rights to this invention are held by any person, other than the inventor, who would not qualify as an individual inventor under 37 C.F.R. § 1.9(c), or by any concern that would not qualify as either a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27.)

FULL NAME _____

ADDRESS _____
[] individual [] small business concern [] nonprofit organization

FULL NAME _____

ADDRESS _____
[] individual [] small business concern [] nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earlier of the issue fee and any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b).)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Dr. Frederick Byron _____

TITLE IN ORGANIZATION Vice Chancellor for Research _____

ADDRESS OF PERSON SIGNING Office of Vice Chancellor for Research at Amherst _____

Amherst, Massachusetts 01002 _____

SIGNATURE Frederick W. Byron Jr. _____ DATE 6/4/88 _____

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR UTILITY PATENT APPLICATION**

Attorney's Docket No.
000270-015

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION ENTITLED:

CLONED UNGULATE EMBRYOS AND ANIMALS, USE OF CELLS, TISSUES AND ORGANS THEREOF

FOR TRANSPLANTATION THERAPIES INCLUDING PARKINSON'S DISEASE

the specification of which

(check one)

is attached hereto;

was filed on April 27, 1998 as

Application No. 09/066,652

and was amended on _____;
(if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE;

I ACKNOWLEDGE THE DUTY TO DISCLOSE TO THE OFFICE ALL INFORMATION KNOWN TO ME TO BE MATERIAL TO PATENTABILITY AS DEFINED IN TITLE 37, CODE OF FEDERAL REGULATIONS, Sec. 1.56 (as amended effective March 16, 1992);

I do not know and do not believe the said invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application; that said invention was not in public use or on sale in the United States of America more than one year prior to said application; that said invention has not been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to said application;

I hereby claim foreign priority benefits under Title 35, United States Code Sec. 119 and/or Sec. 365 of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application(s) on which priority is claimed:

7/21-98

COMBINED DECLARATION AND POWER OF ATTORNEY		Attorney's Docket No. 000270-015	
COUNTRY/INTERNATIONAL	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			YES_ NO_
			YES_ NO_

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

William L. Mathis	17,337	Robert G. Mukai	28,531	William H. Benz	25,952
Peter H. Smolka	15,913	George A. Hovanec, Jr.	28,223	Peter K. Skiff	31,917
Robert S. Swecker	19,885	James A. LaBarre	28,632	Richard J. McGrath	29,195
Platon N. Mandros	22,124	E. Joseph Gess	28,510	Matthew L. Schneider	32,814
Benton S. Duffett, Jr.	22,030	R. Danny Huntington	27,903	Michael G. Savage	32,596
Joseph R. Magnone	24,239	Eric H. Weisblatt	30,505	Gerald F. Swiss	30,113
Norman H. Stepno	22,716	James W. Peterson	26,057	Michael J. Ure	33,089
Ronald L. Grudziecki	24,970	Teresa Stanek Rea	30,427	Charles F. Wieland III	33,096
Frederick G. Michaud, Jr.	26,003	Robert E. Krebs	25,885	Bruce T. Wieder	33,815
Alan E. Kopecki	25,813	William C. Rowland	30,888	Todd R. Walters	34,040
Regis E. Slutter	26,999	T. Gene Dillahunt	25,423		
Samuel C. Miller, III	27,360	Patrick C. Keane	32,858		
Ralph L. Freeland, Jr.	16,110	Bruce J. Boggs, Jr.	32,344		

and: Robin L. Teskin, Registration No. 35,030

Address all correspondence to:

Robin L. Teskin
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404

Address all telephone calls to: Robin L. Teskin at (703) 836-6620.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR Steven L. STICE	SIGNATURE 	DATE 6/1/98
RESIDENCE 468 Amherst Road, Belchertown, Massachusetts 01007	CITIZENSHIP USA	
POST OFFICE ADDRESS 468 Amherst Road, Belchertown, Massachusetts 01007		
FULL NAME OF SECOND JOINT INVENTOR, IF ANY Jose CIBELLI	SIGNATURE 	DATE 6/1/98
RESIDENCE 166 Village Park, Amherst, Massachusetts 01002	CITIZENSHIP USA ALBENT INIAN	
POST OFFICE ADDRESS 166 Village Park, Amherst, Massachusetts 01002		
RESIDENCE 196 Old Enfield, Belchertown, Massachusetts 01007	CITIZENSHIP USA	
POST OFFICE ADDRESS 196 Old Enfield, Belchertown, Massachusetts 01007		

ASSIGNMENT (JOINT)

THIS ASSIGNMENT, by STEVEN L. STICE; JOSE CIBELLE, and JAMES M. ROBL, residing at 468 AMHERST ROAD, BELCHERTOWN, MASSACHUSETTS 01007; 166 VILLAGE PARK, AMHERST, MASSACHUSETTS 01002 and 196 OLD ENFIELD, BELCHERTOWN, MASSACHUSETTS 01007 (hereinafter referred to as "the Assignors"), respectively, witnesseth:

WHEREAS, the Assignors have invented certain new and useful improvements in CLONED UNGULATE EMBRYOS AND ANIMALS, USE OF CELLS, TISSUES AND ORGANS THEREOF FOR TRANSPLANTATION THERAPIES INCLUDING PARKINSON'S DISEASE, which is a provisional application to be filed herewith; which is a non-provisional application having an oath or declaration executed on even date herewith prior to filing of application; bearing Application No. 09/066,652, and filed on APRIL 27, 1998; and

WHEREAS, UNIVERSITY OF MASSACHUSETTS, A PUBLIC INSTITUTION OF HIGHER EDUCATION OF THE COMMONWEALTH OF MASSACHUSETTS, AS REPRESENTED BY ITS AMHERST CAMPUS, and having its principal place of business at OFFICE OF VICE CHANCELLOR FOR RESEARCH AT AMHERST, AMHERST, MASSACHUSETTS 01002 (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title, and interest in and to said inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications, including provisional applications for Letters Patent of the United States or other countries claiming priority to said application, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, the Assignors have sold, assigned, transferred, and set over, and by these presents do sell, assign, transfer, and set over, unto the Assignee, its successors, legal representatives, and assigns the entire right, title, and interest in and to the above-mentioned inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications for Letters Patent of the United States or other countries claiming priority to said application, and any and all Letters Patent or Patents of the United States of America and all foreign countries that may be granted therefor and thereon, and in and to any and all applications claiming priority to said applications, divisions, continuations, and continuations-in-part of said applications, and reissues and extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by the Assignee, for its own use and behalf

I, STEVEN L. STICE, do hereby declare and certify that the Assignors had this sale and assignment fully made

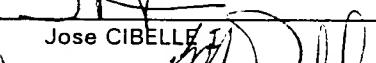
AND for the same consideration, the Assignors hereby covenant and agree to and with the Assignee, its successors, legal representatives, and assigns, that, at the time of execution and delivery of these presents, the Assignors are the sole and lawful owners of the entire right, title and interest in and to the inventions set forth in said applications and said applications, including provisional applications, above-mentioned, and that the same are unencumbered, and that the

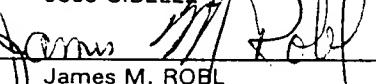
Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth;

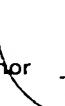
AND for the same consideration, the Assignors hereby covenant and agree to and with the Assignee, its successors, legal representatives, and assigns that the Assignors will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives, and assigns, shall advise that any proceeding in connection with said inventions or said applications for Letters Patent or Patents, or any proceeding in connection with Letters Patent or Patents for said inventions in any country, including interference proceedings, is lawful and desirable, or that any application claiming priority to said application, division, continuation, or continuation-in-part of any applications for Letters Patent or Patents, or any reissue or extension of any Letters Patent or Patents to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement, and defense of Letters Patent or Patents for said inventions, without charge to the Assignee, its successors, legal representatives, and assigns, but at the cost and expense of the Assignee, its successors, legal representatives, and assigns;

AND the Assignors hereby request the Commissioner of Patents to issue any and all said Letters Patent of the United States to the Assignee as the Assignee of said inventions, the Letters Patent to be issued for the sole use and behalf of the Assignee, its successors, legal representatives, and assigns.

Date 6/1/98 Signature of Assignor 
Steven L. STICE

Date 6/1/98 Signature of Assignor 
Jose CIBELLE

Date 7-2-98 Signature of Assignor 
James M. ROEL

Date _____ Signature of Assignor 

Date _____ Signature of Assignor _____

Date _____ Signature of Assignor _____

Date _____ Signature of Assignor _____

Date _____ Signature of Assignor _____